

# PUBLIC NOTICE

United States Environmental Protection Agency (EPA), Region 10  
1200 Sixth Avenue, OWW-130  
Seattle, Washington 98101  
(206) 553-0523

PUBLIC NOTICE OF PROPOSED ISSUANCE OF A  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM GENERAL PERMIT  
TO DISCHARGE TO WATERS OF THE UNITED STATES  
and  
NOTICE OF STATE CERTIFICATION  
for

**Groundwater Remediation Discharge Facilities in Idaho**

Technical Contact: Robert Rau  
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PUBLIC NOTICE ISSUANCE DATE: June 13, 2006  
PUBLIC NOTICE EXPIRATION DATE: August 14, 2006

SUMMARY: The Director, Office of Water and Watersheds, EPA Region 10, is proposing to issue general National Pollutant Discharge Elimination System (NPDES) permit No. ID-G91-0000 for groundwater remediation discharge facilities in Idaho, pursuant to the provisions of the Clean Water Act, 33 U.S.C. § 1251 *et seq.* EPA invites public comment on the proposed general permit. The draft general NPDES permit authorizes the discharge of treated groundwater from new and existing facilities to surface waters of the United States within the State of Idaho. Interested persons may submit comments on the proposed general permit to Robert Rau at the address or email listed above. A fact sheet has been prepared which sets forth the principle factual, legal, policy, and scientific information considered in the development of the draft general permit.

The draft general NPDES permit contains a variety of technology-based and water quality-based effluent limitations for 55 pollutants of concern commonly found in contaminated groundwater, along with administrative and monitoring requirements, as well as other standard conditions, prohibitions, and management practices. Effluent limits are applied at end-of-pipe with no mixing zone. However, mixing zones are available on an individual basis at the discretion of the Idaho Department of Environmental Quality (IDEQ) for pollutants with water quality-based effluent limits. Mixing zones will be granted through an individual State certification that will be attached to EPA's authorization to discharge letter.

EPA has concluded that general NPDES permits are permits under the Administrative Procedure Act (APA), 5 U.S.C. § 551 *et seq.*, and thus not subject to APA rulemaking requirements or the Regulatory Flexibility Act [5 U.S.C. § 601 *et seq.*].

AVAILABILITY: Copies of the draft general NPDES permit and the supporting fact sheet are available from: 1) EPA Region 10 at 1200 6<sup>th</sup> Avenue, OWW-130, Seattle, Washington 98101, (800) 424-4EPA; 2) the EPA Idaho Operations Office, 1435 North Orchard Street, Boise, Idaho

83706; and from the following IDEQ offices, 3) State Office at 1410 N. Hilton, Boise, 83706; Boise Regional Office at 1445 North Orchard, Boise, 83706; Twin Falls Regional Office, 1361 Fillmore St, Twin Falls, 83301; IDEQ Pocatello Regional Office, 444 Hospital Way, #300, Pocatello, 83201; IDEQ Lewiston Regional Office, 1118 F St., Lewiston, 83501; IDEQ Coeur d'Alene Regional Office, 2110 Ironwood Pkwy, Coeur d'Alene, 83814; and IDEQ Idaho Falls Regional Office, 900 N. Skyline, Idaho Falls, 83402. Both documents can be downloaded from EPA's Internet website at [www.epa.gov/r10earth.waterpermits.htm](http://www.epa.gov/r10earth.waterpermits.htm), click on "Draft Permits", the Idaho. The Administrative Record and other supporting documents are on file at EPA's Region 10 office in Seattle, WA.

**PUBLIC COMMENTS:** Interested persons may submit written comments on the draft general NPDES permit within the 60-day public comment period to the attention of Robert Rau at the address or email identified above. All comments should include the name, address, and telephone number of the commenter and a concise statement of comment on the permit condition(s) and the relevant facts upon which the comment is based. Comments of either support or concern which are directed at specific, cited permit requirements are appreciated. Comments must be postmarked on or before the expiration date of the public notice.

After the expiration date on the Public Notice, the Director, Office of Water and Watersheds, EPA Region 10, will make a final determination with respect to issuance of the general permit. The tentative requirements contained in the draft general permit will become final conditions if no significant comments are received during the public comment period.

**APPEAL OF PERMIT:** Within 120 days following the service of notice of EPA's final permit decision under 40 CFR 124.15, any interested person may appeal the general permit in the Federal Court of Appeals in accordance with Section 509(b)(1) of the Clean Water Act. Persons affected by a general NPDES permit may not challenge the conditions of the permit in further EPA proceedings. Instead, they may either challenge the permit in court or apply for an individual NPDES permit.

**STATE CERTIFICATION:** This Notice will also serve as Public Notice by IDEQ that the subject general permit will comply with the applicable provisions of Sections 208(e), 301, 302, 303, 306 and 307 of the Clean Water Act. The NPDES general permit will not be issued until the certification requirements of Section 401 have been met. Persons wishing to comment on the State certification should submit written comments within this 60 day comment period to the IDEQ State Office, attn: Ms. Johnna Sandow (208-373-0163).

**DISABILITY REASONABLE ACCOMMODATION NOTICE:** If you need a reasonable accommodation for a disability, please contact Robert Rau at the phone number or email listed above. TTY/TDD users please dial Washington Relay Service at 1-800-833-6388. Please provide one week advance notice for special requests not related to ongoing programs and services.